

Applicant: Wehler et al.
Application No.: 10/510,290

Remarks

Claims

Claims 2 through 25 are pending in this application. Claims 2 to 4, 6 to 12, and 15 to 24 have been withdrawn from consideration.

Claim 25 is the only independent claim, and it has been amended herein to delete reference to a “pretensioner” and instead recites a common contact surface on each of the adjacent segments of the line guidance unit. The common contact surfaces of adjacent segments are in contact with one another to cause the line guidance unit to be in an arc-shape in an unloaded condition and to resist loads when a loaded condition. Further, the longitudinal direction has been defined by the amendment to extend between the first and second ends to distinguish it from a transverse direction. Applicants respectfully submit that amended claim 25 and its dependent claims satisfy 35 U.S.C. §112 and are allowable over *Viano*, as discussed in more detail below.

Claim 25 was also amended to require the support strip to connect at least three segments. This further distinguishes the claim from the cited art.

Claim 25 was also amended to move the indication that the segments define a line channel into the portion of the claim relating to the segments. This location is more appropriate and such an amendment does not add new matter. Finally, the word “condition” was added to the preamble and the word “extended” was deleted from the preamble to avoid any possibility of confusion related to the two relative conditions of the line guidance unit.

Drawings Objections and §112 Rejection

The drawings have been objected to because the examiner contends that the pretensioner and the trapezoidal with a cross-section are recited in the claims, but are not depicted in the

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drawings. A rejection under 35 U.S.C. §112 was also based on the “pretensioner” language, which has now been deleted.

Applicants submit a revised Fig. 12 on a replacement sheet to illustrate item 3 as a trapezoid. Item 3 in Fig. 12 is described in the specification at page 12 as being trapezoidal. Therefore, regardless of whether the drawing is to scale, the specification describes it as such, and no new matter has been added. Thus, the trapezoidal support section recited in claims 13 and 14 is now clearly depicted in the drawings, and this objection should be withdrawn.

In view of the amendment to delete the term “pretensioner” from claim 25, Applicants respectfully suggest that there is no need to amend the drawings, and that the specification and drawings adequately describe the common contact surfaces to one skilled in the art of making line guidance units. Described at paragraphs 6, 7, 48, 49, and 59 of the specification and depicted in Figs. 5, 8, and 14, is a common contact surface on adjacent segments of the line guidance unit. In these drawings, the common contact surface is defined by items 30 and 34 respectively, and they are disposed relative to one another such that they cause the line guidance unit to have an arc-shape when in an unloaded condition and also resist loads when the line guidance unit is in a loaded condition.

The disposition of the contact surfaces relative to the connections between the segments and the support strip causes the line guidance unit to be arc-shaped when in the unloaded condition. Without the common contact surfaces on adjacent segments, the line guidance unit would be straight or even sag. This is apparent in the drawings, especially when viewed in combination with the above-cited written description. Thus, there is no need to amend the drawings and amended claim 25 now satisfies §112.

Viano

The claims were rejected as being anticipated by or obvious in view of *Viano*. The examiner contends at page 4 that *Viano* discloses a longitudinal strap (60/62) joining the segments. Applicants respectfully submit that this interpretation of *Viano* is incorrect.

Viano discloses a line guidance unit for guiding lines. The line guidance unit comprises (as best shown in Fig. 12) chain links 20 and intermediate elements. The intermediate element is formed by an upper intermediate element 22 and a lower intermediate element 24. The upper intermediate element 22 comprises L-shaped parts 44-48. The parts are interconnected by a plate 60.

The plate 60 and 62 are provided to connect the parts of the intermediate element. There is no "longitudinal support strip (60/62) joining the segments" in the meaning of the present patent application. As disclosed by *Viano*, col. 4, lines 42 to 51, the plates are preferably provided to maintain the assemblies in an assembled relationship, with the plates overlying the flinch 44 and 54 respectively and being secured thereto in any suitable manner, such as by mechanical fastening means or by spot welding, as shown. A transverse separation of the sides is thereby maintained.

Claim 25 Distinguished

Applicants submit that it is clear the plates in *Viano* are not support strips as recited in the rejected claims. The plates are only provided at the intermediate elements and are not strips. In contrast to the *Viano* suggestion, the present invention recites a support strip extending between the first and second ends, and connecting at least three segments of the line guidance unit. In comparison, *Viano* does not suggest the subject matter of the present invention. This feature is

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shown in Figs. 1 and 8 of the present application, and thus the amendment does not constitute new matter.

Therefore, Applicants respectfully submit that independent claim 25 is not anticipated or rendered obvious in view of *Viano*. In addition, all dependent claims, including claims 5, 13, and 14 are not anticipated or obvious in view of *Viano*.


Claim 25 Is Generic And Allowable

Finally, amended claim 25 is still generic to all of the claims of the application and is also allowable. Applicants respectfully request that the withdrawn claims of the application be allowed as well, as indicated in Applicants' July 27, 2007 election and as provided by 37 C.F.R. §1.141.

Conclusion

For the foregoing reasons, Applicants respectfully request that the amendment be entered, and submit that this case is in condition for allowance.

Respectfully submitted,


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